



**4910-EX-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**[Docket No. FMCSA-2018-0016]**

**Qualification of Drivers; Exemption Applications; Vision**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of denials.

**SUMMARY:** FMCSA announces its decision to deny applications from 110 individuals who requested an exemption from the vision standard in the Federal Motor Carrier Safety Regulations (FMCSRs) to operate a CMV in interstate commerce.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, Department of Transportation, 1200 New Jersey Avenue, S.E., Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**I. Electronic Access**

You may see all the comments online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>.

Docket: For access to the docket to read background documents or comments, go to <http://www.regulations.gov> and/or Room W12-140 on the ground level of the West Building,

1200 New Jersey Avenue, S.E., Washington, DC, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <http://www.dot.gov/privacy>.

## **II. Background**

FMCSA received applications from 110 individuals who requested an exemption from the vision standard in the FMCSRs.

FMCSA has evaluated the eligibility of these applicants and concluded that granting these exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(10).

## **III. Basis for Exemption Determination**

Under 49 U.S.C.31136(e)and 31315, FMCSA may grant an exemption if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater then, the level that would be achieved absent such an exemption.

The Agency's decision regarding these exemption applications is based on the eligibility criteria, the terms and conditions for Federal exemptions, and an individualized assessment of each applicant's medical information provided by the applicant.

## **IV. Conclusion**

The Agency has determined that these applicants do not satisfy the criteria eligibility or meet the terms and conditions of the Federal exemption and granting these exemptions would not provide a level of safety that would be equivalent to or greater than, the level of safety that would be obtained by complying with the regulation 49 CFR 391.41(b)(10). Therefore, the 110 applicants in this notice have been denied exemptions from the physical qualification standards in 49 CFR 391.41(b)(10).

Each applicant has, prior to this notice, received a letter of final disposition regarding his/her exemption request. Those decision letters fully outlined the basis for the denial and constitute final action by the Agency. This notice summarizes the Agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denial.

The following six applicants did not have sufficient driving experience over the past three years under normal highway operating conditions:

Emma D. Hyde Howe (WA)	Wallace T. Kraus (IN)
Luis M. Perez-Francisco (NJ)	Darrell Potteiger (PA)
Jeffrey J. Winter (KS)	Scott E. Zinn (CA)

The following 35 applicants had no experience operating a CMV:

Eurico F. Barbosa (MA)	Michael A. Barone (TX)
Celine Burgos (NJ)	Geovanny J. Cano-Cruz (NJ)
Luis Cardona (CA)	Eduardo Carrasco (AZ)
Nelson D. Carvalho (TX)	Sergio Chavez-Nunez (IL)
Jeffrey M. Colson (NY)	Hunter W. Cook (MS)

James F. Duffy (NJ)	Michael S. Engel (CO)
David W. Frieze (MN)	Christopher D. Gilbert (ND)
Jose S. Hernandez (TX)	Jesse J. James (MI)
Tammy L. Loran (ND)	Jonathan B. Lovette (TN)
Russell T. Meyers (OH)	Giedrius Morkunas (IL)
Michael D. Narveson (MN)	Jose L. Olvera-Hernandez (PA)
Mohammed A. Omer (MN)	Timothy L. Porter (AL)
Robert L. Price (CO)	Jerad J. Riddle (IL)
Doral W. Robinson (MD)	Nicholas A. Smyth (NE)
Anes Tabakovic (IA)	Anthony R. VanAcker (IN)
John T. Vanderbeek (UT)	Andry A. Vargas (MA)
McKenley M. Victor (DE)	David W. Wiard (MI)
Tarrence R. Williams (MS)	

The following 23 applicants did not have three years of experience driving a CMV on public highways with their vision deficiencies:

Matthew R. Beggs (IL)	Richard W. Bullard (FL)
Paulo G. Clemente (NC)	Hector A. Davila (GA)
Chad M. Diamond (HI)	Paul A. Gulotta (NV)
Burl V. Ingebretsen (MN)	Russell L. Kelly (SC)
Nicholas J. Luksha (TN)	Jerred R. Murray (NY)
Christopher J. Neville (ME)	Eric L. Nydick (KS)
Robert F. Reed (NV)	Wesley C. Riley (IL)

Dennis E. Sanches (CO)	Alexander P. Scardino (NY)
Jeffrey A. See (FL)	Don J. Smith (VA)
Terry L. Stanger (IL)	Robert B. Sundvor (ND)
Leonard H. Wesselman (IL)	Tommy A. Williamson (OK)
Ananias E. Yoder (IA)	

The following 14 applicants did not have three years of recent experience driving a CMV on public highways with their vision deficiencies:

David G. April (NH)	Jason W. Beer (NE)
David L. Dellinger (IN)	John D. Flatten (MN)
Armand P. Fortier (NH)	Jeri P. Hollingsworth (ND)
Suad Jukic (NY)	Jimmy R. Kite (TN)
William J. Mason (AR)	Akbar H. Mokhtarani (ID)
Scott A. Murphy (PA)	Asa R. Sessions (WI)
Stephen C. Stenberg (NY)	Blair D. Tunell (DE)

The following seven applicants did not have sufficient driving experience over the past three years under normal highway operating conditions (gaps in driving record):

Wayne O. Campbell (FL)	James P. Flaherty (KY)
Aaron L. Knoblock (TX)	Ronald M. Lytle (PA)
Chad O'Brien (MN)	Reginald Smart (TX)
Levi J. Tindall (TX)	

The following applicant, Gregory P. Grimes (OK), had more than two commercial motor vehicle violations during three-year period and/or application process.

The following applicant, Randall L. Bauman (IN), contributed to accident(s) in which the applicant was operating a CMV, which is a disqualifying offense.

The following applicant, Daniel W. Schraven (IA), did not demonstrate the level of safety required for interstate driving (excessive moving/non-moving violations during three-year period).

The following 16 applicants were denied for multiple reasons:

Jose G. Batres (PA)	Guillermo Casio Gamero (WA)
Edward J. Delehant (OK)	Kevin DeMarco (PA)
Anthony M. Goodman (TX)	Eduardo L. Gutierrez (CA)
Michael L. Johnson (SC)	Patrick E. Kuempel (IA)
Michael T. McGinty (PA)	Michael E. McGregor (ID)
Steven Ramirez (CA)	Robert L. Schwartz (ND)
Emmanuel A. Sepulveda (CA)	Tyrone Sipp (TN)
Calvin R. Stoltzfus (PA)	Latasha M. Williams-Barnes (CT)

The following four applicants have not had stable vision for the preceding three-year period:

Miguel M. Levario (NM)	Markell D. Riley (NC)
Michael J. Smith (MN)	Vernon L. Speakman (GA)

The following applicant, Charles E. Chamberlain (KY), does not meet the vision standard in his better eye.

The following applicant, Jerry B. Gibson (KY), drove interstate while restricted to intrastate driving.

Issued on: August 9, 2018.

**Larry W. Minor,**  
*Associate Administrator for Policy.*

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